

November 8, 2017

Mr. Henry Leskinen
Eco-Science Professionals
P.O. Box 5006
Glen Arm, MD 21057

Re: Royal Farms Store #008
1628-1630 West Joppa Road
Forest Buffer Variance
Tracking # 02-17-2571

Dear Mr. Leskinen:

Baltimore County Department of Environmental Protection and Sustainability (EPS) received the above referenced request for a variance to the Baltimore County Code, Article 3 Environmental Protection and Sustainability, Title 3 Protection of Water Quality, Streams, Wetlands and Floodplains (i.e. Forest Buffer Law) on September 29, 2107. If granted, the variance would allow the permanent impact of 837 square feet of area that would otherwise be Forest Buffer Easement in order to improve traffic flow and parking at an existing Royal Farms Store located at 1630 West Joppa Road. In addition, the variance would allow the continued use of the existing store and its parking lot within the forest buffer area, which would encompass virtually the entire site. The property owner proposes purchasing 837 square feet of credit in an EPS-approved forest buffer mitigation bank to mitigate for the impacts to water quality associated with the improvements.

The property owner purchased the adjacent lot at 1628 West Joppa Road with the intent of razing the existing house and removing the driveway to make improvements to the existing Royal Farms Store at 1630 West Joppa Road. The improvements, which include adding 15 parking spaces, installing new site entrances along West Joppa Road, and re-decking the bridge from Thornton Road, will improve traffic circulation at the store. Given that the forest buffer encompasses nearly the entire project site and the store existed in its current state well prior to the Forest Buffer Law, full application of the Forest Buffer Law would preclude the property owner from making these changes or any other changes to improve the operating efficiency of the store. The property owner investigated other alternatives to address the current traffic and parking issues, but there are no other feasible alternatives that minimize disturbance to forest buffer and water quality beyond the preferred design. Consequently, this Department finds that a practical difficulty exists in fully meeting the Forest Buffer Law.

Impacts to water quality will be minimized given that the majority of the proposed improvements will occur over existing impervious surfaces. In addition, most of the disturbance

Mr. Henry Leskinen
Royal Farms Store #008
Forest Buffer Variance
November 8, 2017
Page 2

will occur over 80 feet from Roland Run and its adjacent wetlands that exist in County-owned 100-Year Floodplain Reservation on the opposite side of the store from 1628 West Joppa Road. Furthermore, the property owner will construct required storm water management devices to treat runoff from the site as well as remove existing impervious surfaces in close proximity to Roland Run. Finally, the property owner will provide the aforementioned offsite mitigation for the unavoidable impacts. Therefore, we find that impacts to water quality will be minimized inasmuch as possible.

Based upon our review and in accordance with Article 33-3-106 and Article 33-3-112(c) of the Baltimore County Code, the variance request is hereby granted with the following conditions:

1. The property owner shall mitigate for the 837 square feet of impact to the forest buffer by purchasing 837 square feet of credit in an EPS-approved forest buffer mitigation bank. Documentation of this purchase shall be provided to EPS staff prior to grading permit approval. A letter authorizing this purchase is enclosed for this purpose.
2. The following note must appear on all plans and plats submitted for this project:

“A variance from the Law for the Protection of Water Quality, Streams, Wetlands, and Floodplains was granted by the Baltimore County EPS on November 8, 2017. This variance allowed permanent impact to 837 square feet of Forest Buffer for additional parking and traffic improvements to the Royal Farms Store. Conditions were placed on this approval to reduce water quality impacts including the purchase of 837 square feet of mitigation credit at a forest buffer mitigation bank.

It is the intent of this Department to approve this variance subject to the above conditions. Any changes to site layout may require submittal of revised plans and a new variance request.

Please have the party responsible for meeting the conditions of this variance sign the statement on the following page and return a signed copy of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of this project.

If you have any questions regarding this correspondence, please call Mr. Gris Batchelder at (410) 887-3980.

Sincerely,

David V. Lykens
Deputy Director

Mr. Henry Leskinen
Royal Farms Store #008
Forest Buffer Variance
November 8, 2017
Page 3

DVL/cgb

Enclosure

c. Mr. Thomas Sheckells, Morris & Ritchie Associates, Inc.

I/we agree to the above conditions to bring my/our property into compliance with Law for the Protection of Water Quality, Streams, Wetlands, and Floodplains.

Property Owners

Date

Printed Names